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DATE: December 21, 2005

TO: Examiner Christopher L. Chin  
TC Art Unit: 1641

Fax No.: (571) 273 8300

FROM: Holliday C. Heine, Ph.D.

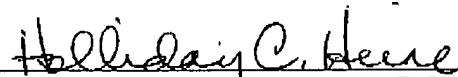
No. of pages transmitted  
(including this page): 14

Our File: MBP-009XX

Time: 2:30 pm

Your Ref:

Sent by: Maggie Chinappi

Application No. 10/049,975  
Filed Date: October 1, 2002  
Confirmation No.: 6238A confirmation copy of this transmission will not be mailed unless the following is checked: ☐  
MESSAGEPLEASE DELIVER DIRECTLY TO:  
EXAMINER Christopher L. Chin, Tel. (571) 272-0815  
TC ART UNIT NO: 1641**FOR ENTRY**Enclosed for filing please find a: Transmittal letter and Election and Response to  
Office ActionThe Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional  
filing fees associated with this communication or credit any overpayment.  
\_\_\_\_\_  
Attorney for Applicant: Holliday C. Heine, Ph.D.  
Registration No. 34,346

HCH/mc/330519-1

THIS MESSAGE MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION INTENDED ONLY  
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Application No.: 10/049,975  
Filed: October 1, 2002  
TC Art Unit: 1641  
Confirmation No.: 6238

Rev 07/05

**WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP**  
Ten Post Office Square  
Boston, Massachusetts 02109  
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Via Facsimile  
**COMMISSIONER FOR PATENTS**  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: December 21, 2005

**Attorney**  
**Docket No.: MBP-009XX**

Sir:

In re application of: **Manfred Schawaller et al.**

**Entitled: METHOD FOR THE DETERMINATION OF SUBSTANCES USING THE  
EVANESCENCE FIELD METHOD**

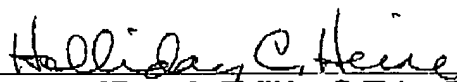
Transmitted herewith is an Election and Response to Office Action in the above-identified application. The following checked items are applicable:

- ☐ This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$ ) per §1.17(e).
- ☐ Enter the unentered amendment previously filed on per §1.116.
- ☐ A Petition for Extension of Time for month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$ ) per §1.17.
- ☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- ☐ Other:

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	1 - 3	= 0	x \$200.00 =	0
Total	33 - 35	= 0	x \$ 50.00 =	0
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$360.00 =	0
SUBTOTAL ADDITIONAL FEE				0
Small Entity filing, divide by 2. Small Entity status must be asserted.				--
TOTAL ADDITIONAL FEE				0

- ☒ No additional fee. ☐ The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$ ) for the cost of same.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Christopher L. Chin, TC Art Unit 1641, Fax No. (571) 273 8300, on Dec. 21, 2005.

  
**Attorney of Record: Holliday C. Heine, Ph.D.**  
**Registration No.: 34346**

HCH/mc/330520-1

PATENT

Rev 09/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
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DEC 21 2005

In re application : MANFRED SCHAWALLER, ET AL.  
Application No. : 10/049,975  
Filed : October 1, 2002  
Confirmation No. : 6238  
For : METHOD FOR THE DETERMINATION OF SUBSTANCES  
USING THE EVANESCENCE FIELD METHOD  
Examiner : Christopher L. Chin  
Attorney's Docket : MBP-009XX

TC Art Unit: 1641

\*\*\*\*\*  
I hereby certify that this correspondence is being sent via facsimile to  
Examiner Christopher L. Chin, TC Art Unit 1641, Fax No. (571) 273-8300,  
on Dec. 21, 2005.

By: Holliday C. Heine  
Holliday C. Heine, Ph.D.  
Registration No. 34,346  
Attorney for Applicant(s)

\*\*\*\*\*

ELECTION AND RESPONSE TO OFFICE ACTION

Via Facsimile  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the election requirement dated November 21,  
2005, Applicants elect for present prosecution the claims of  
Group I, Claims 1-6, 27-37, 45-47 and 52-55, with traverse.

WASHINGTON, GEORGETOWN,  
CAGNEY & TROVATI LLP  
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FAX. (410) 451-0313